

### REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 14, 29 and 30 are amended. Claims 14, 18-26 and 29-36 are pending in the application. Support for the amendment can be found at least on pages 9-10 and Figs. 3A-3B of Applicants' Specification. No new matter has been added. Reconsideration of the claims is respectfully requested.

On page 2 of the Office Action, claim 14 was rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse the rejection, but in the interest of prosecution have amended claim 14 and believe the rejection is now moot. Therefore, in view of the above remarks, Applicants respectfully request that Examiner withdraw the rejection.

On page 3 of the Office Action, claims 14, 18-22 and 25-36 were rejected under 35 USC §103(a) as being unpatentable over U.S. patent 6,549,612 to Gifford in view of U.S. Patent 6,807,532 to Kolls and in further view of U.S. patent 6,321,231 to Jebens et al. On page 8 of the Office Action, claims 23-24 were rejected under 35 USC §103(a) as being unpatentable over Gifford, Kolls and Jebens et al. as applied to claim 14 above, and further in view of U.S. patent 6,657,702 to Chui et al. Applicants respectfully traverse the rejections.

As admitted by the Office Action Gifford does not disclose an order section for ordering goods and services. Kolls fails to remedy the deficiencies of Gifford as Kolls also fails to teach or suggest at least sending an e-mail including an order section for creating an order for goods and/or services using said order section by selecting the at least one digital image as recited in Applicants' claim 14. Rather, Kolls discloses an electronic commerce (e-commerce) purchase method in which interactive advertising is used. In Kolls, a user can respond to advertising data displayed on a display 580. Col. 43, lines 26-28; Col. 44, lines 13-19. A server then processes user response data by linking the response data to predetermined response data. Col. 44, lines 16-19. The server can then forward processed information to a fulfillment center via e-mail, facsimile etc. Col. 44, lines 21-23.

However, Kolls does not provide at least sending an e-mail including an order section for creating an order for goods and/or services using the order section.

Jebens fails to remedy the deficiencies of Gifford and Kolls as Jebens also fails to teach or suggest at least sending an e-mail including an order section for creating an order for goods and/or services using said order section by selecting the at least one digital image. Rather, Jebens merely discloses a client or browser 12 that places an order with a host system 10 for forwarding of images to a recipient such as supplier 16. When a user wishes to place an order, a custom order form 820 is downloaded from the host site. Col. 21 lines 62-63; Fig. 10F. Moreover, the order form is provided to the user upon request when the user selects the new order option 810. Col. 21, lines 62-63. Thus, the order form is not provided in an order section of an e-mail as taught and claimed by Applicants.

Thus, it is submitted that further consideration of claim rejections under 35 USC 103(a) upon the citing of the third applied prior art reference to Chui is moot, inasmuch as the combination of Gifford, Kolls, Jebens and Chui still lack any teaching, disclosure, or suggestion concerning sending an email for creating an order for goods and/or services using an order section as previously discussed.

Therefore, in view of the above remarks, Applicants' independent claim 14 is patentable over the cited references. Rejected independent claims 29 and 30 recite one or more feature generally similar to those of claim 14 discussed above and are also believed to be patentable over the cited references. Because claims 18-26 and 31-36 depend from claims 14 and 30, respectively, and include the features recited in the independent claims, Applicants respectfully submit that claims 18-26 and 31-36 are also patentably distinct over the cited references. Nevertheless, Applicants are not conceding the correctness of the Office Action's rejection with respect to such dependent claims and reserve the right to make additional arguments if necessary.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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